

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

TRAVION D. YOUNG, #01756136	§	
VS.	§	CIVIL ACTION NO. 2:24cv271
BRADNEY SMITH, et al.	§	

ORDER OF DISMISSAL

Plaintiff Travion D. Young, a prisoner confined at the Hughes Unit within the Texas Department of Justice (TDCJ) proceeding *pro se*, filed this numbered civil rights lawsuit pursuant to 42 U.S.C. § 1983 complaining that his constitutional rights were violated. The complaint was referred to United States Magistrate Judge Roy S. Payne for findings of fact, conclusions of law, and recommendations for the disposition of the case.

On April 6, 2025, Judge Payne issued a Report, (Dkt. No. 21), recommending that Plaintiff's lawsuit be dismissed, without prejudice, as both frivolous and for the failure to state a claim upon which relief may be granted. Judge Payne further recommended, in the alternative, that Plaintiff's case be dismissed for his failure to comply with an order of the Court. A copy of this Report was sent to Plaintiff at his last-known address, with an acknowledgment card. The docket reflects that Plaintiff received a copy of the Report on May 1, 2025, (Dkt. No. 22). To date, however, Plaintiff has not filed objections.

Because objections to Judge Payne's Report have not been filed, Plaintiff is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).


The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (holding that where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is therefore

**ORDERED** that the Report of the United States Magistrate Judge, (Dkt. No. 21), is **ADOPTED** as the opinion of the Court. Plaintiff's civil rights proceeding is **DISMISSED** with prejudice as frivolous, for the failure to state a claim upon which relief may be granted, and for Plaintiff's failure to prosecute his case. Finally, it is

**ORDERED** that any and all motions which may be pending in this action are hereby **DENIED**.

**So Ordered this**

**Jun 20, 2025**

  
\_\_\_\_\_  
RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE